Dear Mr. Mayhew: Thank you, ever so much, for your announcement of the code and policy update workshop. Unfortunately, I may find myself working quite late on that particular Wednesday, so I hoped to share with you several areas where I think the code and the policy are in need of revision. My suggestions stem from my opposition to an expansion planned by a school that is contingent to my property. I should add that well-over 200 of my neighbors have signed a petition opposing the current construction agenda proposed by the Seattle Country Day School (hereafter referred to as Seattle Country Day, Inc. or SCDI). The neighborhood in question is the Mayfair addition of Queen Anne Hill facing Fremont. An environmentally sound city requires that the integrity of such single-family neighborhoods as ours remain intact. However, unless the code and permit application procedures are revised and updated, neighborshood such as ours will disappear. The code, city policies, and permit procedures need to be revised to enable the DPD to more carefully assess the environment and ecological impacts of new construction. May I suggest the following: 1. An "Intent to File" notice must proceed any application by six months. The amount of time allotted a community to respond is insufficient and actually discourages community participation. As the Chairman of the Mayfair Neighbors Assn., let me assure you that it takes a great deal of time to organize community response. The applicant in this case had many months before and in secrecy to the neighborhood before the application was made to hire its transportation consultants (Heffron), its permit consultants (Seneca), its architects (Carlson) and a host of other consultants and engineers to effect SCDI's objectives all in very quick time. Time is important. The current code and application procedures do not permit sufficient and fair review of the applicant's plans 2. The six month notice must give "full disclosure" of construction intent to both the DPD and the community. Intentional withholding of any information for reason of community reaction should be viewed as undermining the process and goals of the process. Once discovered such a withholding should to be regarded as a factor against permit approval. In our experience SCDI actually lied to the community telling them at a community meeting that SCDI had no immediate plans for expansion and that such plans if forthcoming would be so in two or three years. That same lie was uttered to the Queen Anne News in March. In August SCDI applied for its permit. What does this do to the integrity of the process or of the DPD if such false statements can be made with impunity? 3. Any unmet past permit conditions and past breeches of regulation for permits granted must be satisfied before the permit process can proceed. The action of an application to build and occupy while totally ignoring permit conditions denigrates the law, the permit-issuing agency, and the process? An applicant found in violation of a condition or regulation to application should have to comply with the law. SCDI gave its word to the DPD (nee DCLU) on several occasions than simply ignored the conditions and regulations it agreed to fulfil prior to occupancy. Understandably the conditions and regulations required for a permit are meant to mitigate environment and ecological impacts. How can we preserve critical areas when conditions are routinely ignored by institutions that are viewed rightly or wrongly as being given preferential consideration? 4. Where opposition to a proposed application is organized and the collective expression of a neighborhood, no private pre-application meetings may be held without the presence of neighborhood representation. Ex Parte meetings are simply unfair and discourage neighborhood civic involvement. 5. The applicant must give evidence of financial resources to complete a project. No project may depend upon fund raising subsequent to the issuance of a permit. Cost estimates for a project must be determined by neutral parties. An institution or individual without sufficient resources to complete a project in the time alloted subjects the critical area to the chance that a project may not be completed or prolongued construction activity which interferes with the on-going life of the area or neighborhood. 6. No single MUP may be given for multiple phased construction. Each phase must be evaluated for impact prior to the beginning the construction of the next phase. SCDI is asking for one MUP that will encompass two phases of construction that may last as long as ten years. Quiet, single-family neighorhoods like that of Mayfair will be expected to endure ten summers of construction which will not only disrupt the life of the community but destroy any outdoor neighborhood activity for ten summers. The whole matrix of community life will be destroyed. 7. The applicant may not hire consultants already employed to serve on an EIS team of the proposed application.

While this is permitted today, it is certainly not objective and gives every indication of unfairness and bias. In our present situation SCDI desires to use an employee who admitted that the proposed plan so objected to by the community was her idea. She has throughout the process clearly demonstrated her bias towards SCDI. 8. No part of the project may be advanced by any city agency prior to the application approval. 9. The application must be weighed against both the code and the needs and unique characteristics of the neighborhood or critical area. 10. The burden of proof in admisitrative law rests with the applicant. It is the applicant who must satisfy the burden of proof and not the neighborhood.

Regards, Elliott R. Ohannes, Chair Mayfair Neighbors Assn. 2627 Nob Hill Ave. N. Seattle, WA 98109